

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133654/FO/2022

Date registered valid: 21 July 2022

Proposal: Change of use from vacant residential care home to 7 flats with extensions at ground and first floor level, alterations to elevations and roof form, and other associated works including modifications to car parking layout and boundary treatment

Address: St Georges Residential Home , Abbey Hey Lane, Manchester, M18 8RB

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Usman Ahmed Bless Enterprises Ltd St Georges Residential Home , Abbey Hey Lane, Manchester, Manchester, M18 8RB

Agent (if any): Mr Elie Osborne 4D Planning 86-90 Paul Street, 3rd Floor, London, EC2A 4NE

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Recommendation: Approve

Date of recommendation: 8 September 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 16 August 2022 Expired: 6 September 2022

Neighbour notifications

Printed: 16 August 2022 Expired: 6 September 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to a vacant and semi-derelict 2/3 storey building, formerly used as a nursing/care home, with associated grounds and car parking, in a predominantly residential area. consisting of a mixture of terraced, semi-detached and detached properties. The site is accessed from Abbey Hey Lane and also has a main frontage onto Redacre Road. The area of the site, surrounding the building, is mostly landscaped.

In April 2020 planning permission was refused (121173/FO/2018) for the demolition of the former nursing home, and the erection of a 2 storey apartment block (with additional accommodation in the roof space), comprising 8 x two bed apartments and 4 x one bed apartments, with associated car parking and amenity space (12 flats in total). The application was refused on the grounds that the proposal was considered to represent an overdevelopment of the site that was out of scale and character with its surroundings, it was too close to adjoining residential properties, and the indicated standard of accommodation did not meet City Council minimum standards.

It is now proposed to retain what remains of the existing structure and to change the use of the premises, from a vacant residential care home to 7 flats, including extensions at ground and first floor level, alterations to elevations and roof form, and other associated works including modifications to car parking layout and boundary treatment. The proposed flats are comprised of 1 x 3 bedroom, 4 x 2 bedroom, 1 x 1 bedroom , and 1 studio flats.

The property has an existing single storey extension along part of the rear elevation, and which protrudes from the side of the property, also including an existing garage. It is proposed to demolish this structure and to erect a new single storey flat roof extension, along the whole of the side elevation and continuing, past the rear facade of the property, to a point approximately in line with the rear of the existing single storey structure. At the rear of the property it is proposed to erect a two storey extension, with a mixed gable/hipped roof, and the proposal includes other alterations, to the roof form, and elevations without increasing the overall height of the building. The new works would be constructed in brickwork, render and tiling, to match the existing building.

The proposal includes 8 car parking spaces, with one being for a disabled person, and vehicular access will be taking to the site, via an existing unmarked route, from Abbey Hey Lane, to the site boundary. In addition, 16 bicycle parking spaces and dedicated refuse storage areas are proposed. Bins for the proposed building can be brought to Abbey Hey Lane for collection thereby avoiding the need for a refuse lorry to access the site.

Private garden areas are provided, for each of the ground floor flats, and the remainder of the flats sharing a communal amenity area of approximately 365 square metres.

Consultations & Notification Responses

Local residents - A response was received from a resident, who supports the principle of the application, but they feel that houses would have been a better option for the site. They also raised a point about Japanese Knotweed on the site. The resident says that it has been cleared twice but they are not treating it as they should as it's now growing again.

One response was received from a resident, objecting to the application, for the following reasons:

The main window on the gable is directly overlooking their garden.

There are several trees in front of the main entrance which provide privacy to their house.

One response was received, from a resident, who did not object to the application, but who raised concerns about the management of the communal garden areas and whether 7 car parking spaces would be enough to meet the needs of 7 flats.

One response was received from a resident in support of the application. They state that the property is currently in a very dilapidated state having recently been damaged by a fire, the property is very unsightly and dangerous as attempts to make it secure have not been successful. They feel that the proposed development would vastly improve the visual impression of the property and the area surrounding. It would be good to see the building brought back to life.

Highway Services - Makes the following comments:

TRIP GENERATION AND JUNCTION CAPACITY:

In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.

SITE ACCESSIBILITY:

The site is well accessed by sustainable modes. Regular bus services are routed along Abbey Hey Lane and provides access to Stockport, The Trafford Centre, Gorton, Abbey Hey and Ashton-under-Lyne. The closest Metrolink facility is located at Edge Lane and provides connections to Ashton under-Lyne and Eccles. The closest railway facility is located at Gorton and provides connections to Manchester

Piccadilly, Rose Hill Marple and Hadfield.

PARKING AND ACCESS:

There are currently seven parking spaces located within the site's curtilage, thus equating to a provision of 100%.

Regarding the dimension of these spaces, these should all accord with MCC's standard minimum requirement. It is recommended that standard parking bay dimensions be a minimum of 2.4m x 4.8m and disabled parking bay dimensions a minimum of 3.6m x 6.0m. This should also include a 6-metre aisle width to allow vehicles to safely manoeuvre within the car park with formal demarcation of all spaces (these dimensions are achieved).

Vehicular access to the site is gained from the existing access via Abbey Hey Lane. It is noted that an existing vehicular crossover is present in this location in order to facilitate his access.

EV CHARGING

It is required, in line with MCC Residential Guidelines, that the provision of an Electrical Vehicle charging point (minimum 7kW) is made available (this has been provided).

CYCLE PARKING:

In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. The development will provide 16 cycle spaces. This is acceptable to Highways.

BOUNDARY TREATMENTS:

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians (this is an existing access arrangement, that is not proposed to be altered).

REFUSE AND SERVICING:

A refuse storage area is noted within the site. Bins will be taken to/from the bin store to the collection point on collection day. It should be ensured that the waste collection arrangements meet MCCs GD04 waste collection standards. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

CONSTRUCTION MANAGEMENT:

A Construction Management Plan should be provided by the applicant prior to any construction works beginning (an appropriate condition is proposed).

In response to the submitted revised plans, Highway Services confirmed the following:

The revised plan shows that eight parking spaces will be located within the site's curtilage. This is acceptable to Highways.

The plan confirms that the standard parking bays will be 2.4m x 4.8m and the disabled parking bay will be 3.6m x 6m. A 6-meter aisle width will also be in place. This is acceptable to Highways.

A minimum of one 7kw EV charge point is required on the site. The submitted drawing confirms that a charging point is in place at the site. This is acceptable to Highways.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to refuse, air quality, the insulation of any external equipment and construction hours.

Greater Manchester Police - Recommend a number of measures to improve security at the premises. This has been provided to the applicant as an informative.

GM Ecology Unit - Makes the following comments:

Bats

A valid bat report has been provided. Updated surveys found no evidence of bats emerging from the buildings. They have no reason to doubt the findings of the report. They are therefore satisfied that it is very unlikely that the development will negatively impact on the favourable conservation status of any bat species. No further information is required prior to determination.

As individual bats can on occasion turn up in unexpected locations, they recommend an informative along the following lines.

Whilst the development is low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Japanese Knotweed

The Japanese knotweed has been confirmed as still present and outline details on how it will be dealt with provided. They are satisfied with this approach and recommend they provide the detail in a formal method statement that can be conditioned as part of any permission.

The following informative is also recommended:

It is an offence under the Wildlife & Countryside Act 1981, as amended, to introduce or cause to grow wild any plant listed in Schedule 9. Part 2 of the Act. Japanese Knotweed is included within this schedule. All Japanese Knotweed waste (the plant itself or material containing its rhizomes) is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act Duty of Care Regulation 1991.

Nesting Birds

Some trees still appear to be present and the building appears to have suffered vandalism that would enable birds to access the building. It is unclear whether the remaining trees are to be retained. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site currently has only very low habitat value and minor species interest. They are satisfied that with adequate soft landscaping (native and wildlife friendly tree and shrub planting) and provision of bird and bat boxes, an overall enhancement can be achieved on site. The details can be conditioned.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours. .

Policy H4 relates to sites in East Manchester and states that, over the lifetime of the Core Strategy, East Manchester will accommodate around 30% of new residential development.

Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy H11 relates to Houses in Multiple Occupation and changes of use from a C3 dwelling house to a C4 HMO. It also states that all proposals for change of use of existing properties into houses in multiple occupation, and all proposals for conversion of existing properties into flats (which might not necessarily fall within Class C4), would be permitted only where the accommodation to be provided is of a high standard and where it will not materially harm the character of the area, having particular regard to the criteria in policy DM1.

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC5 relates to flat conversions

DC5.1 states that, in determining planning applications to convert property to flats, the Council will have regard to:

- a. the standard of accommodation for the intended occupiers of the premises;
- b. effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;
- c. adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created;
- d. general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;
- e. adequate private outdoor amenity space;
- f. the desirability of achieving easy access for all, including disabled people (as a minimum, access for disabled people will normally be required in conversions of ground floor accommodation);
- g. the satisfactory provision of refuse storage and collection facilities.

DC5.2 states that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock.

DC5.3 States that, notwithstanding policy DC5.2, the Council will normally refuse permission for any developments in this category which:

- a. do not provide accommodation to the Council's current approved standards;
- b. are in tightly-packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion;
- c. involve conversion schemes without adequate private external amenity space;
- d. are schemes without satisfactory refuse storage and collection facilities.

DC5.4 States that, in determining applications of this kind, the Council will give particularly careful consideration to situations in which the conversion of small terraced properties are proposed; and where a scheme is the first in a street of otherwise single family dwellings, the Council will give weight to the desirability of maintaining the character of the street in that respect.

Saved policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance aims to help to

develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

Point 10.9 relates to external space and states that all residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:

- A safe play area for children
- Additional storage outside the house
- The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development
- Space in which to relax which helps the overall sense of well-being
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Manchester Residential Quality Guidance 2016 -Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

Principle of use - The site has an existing residential use, and lies in an area of predominantly residential uses. The nearby properties are generally 2 storey family dwellings and a residential use is therefore considered to be an appropriate use of the site. A development of 2 storey

family housing is, potentially, the most appropriate form of development for the site, but the existing building is in a poor state of disrepair, and the proposed development would bring this building back into use and reinvigorate this site. In addition, the previous application on the site was for a much taller building, which was close to residential properties, whilst the development now proposed does not increase the height of the existing building on site, and it is much more in keeping with the surrounding area. The proposal is therefore considered to be acceptable in principle.

Standard of accommodation/housing mix - The 7 flats proposed provide a mixture of units, being mostly two bedroom, but also with a three bed, one bed and studio unit and the proposed flats are all significantly in excess of the Council's minimum space standards, other than the studio flat, which is close to the minimum space standards, but which is nevertheless 2 square metres in excess of that minimum standard. It is therefore considered that a good level of housing mix, and standard of accommodation, is provided on site. For these reasons the proposed accommodation type is considered to be acceptable.

Site layout - The site has quite a substantial amount of available land so, whilst extensions are proposed, sufficient land remains available for car parking and amenity space, with 3 of the 7 apartments having their own private garden areas, and a substantial amount of amenity space remaining for the occupiers of the other flats. The proposed site layout is considered to be acceptable.

Scale/design of extensions - Some changes to elevations, and roof design are proposed, but, at the front of the property, the design of the property is not significantly different. The major works are to the rear of the property where a new two storey extension is proposed. This will bring the property closer to the Redacre Road boundary of the site, although a gap of 8 metres is retained, between the proposed development and the Redacre Road boundary. Other properties, on this road, sit much closer to Redacre Road, and it is not therefore considered that the development would impact upon the existing building line. Also, some windows are proposed, on this elevation, to give it a presence onto Redacre Road. Changes to the roof design are proposed, but the roof design is logical and, overall, it is considered that the proposed development is in character with its surroundings and would give the extended building a high quality unified appearance.

Car/cycle parking - The site has provision for 8 car parking spaces and 16 cycle spaces. This is in excess of 100% provision, for a site that also has good public transport links. The proposed development makes use of an existing vehicular access arrangement and confirmation has been provided, about space sizes and the provision of an EV charging point, to address the matters raised Highway officers, who consider the revised arrangements to be acceptable.

Residential amenity - A resident has expressed concern about the potential overlooking of his garden area, but on the Redacre Road side, the proposed building remains 8 metres from the site boundary. On all other sides, the building, and windows, are no nearer the site than the existing building. It is not therefore considered that the proposal would lead to any undue overlooking of surrounding properties. A development of 7 apartments will lead to a number of comings and goings, and general activity at the site, where none have existed for some time, but it is not considered that these would be of such a level that they would have a detrimental impact, upon the living conditions of nearby residents. The building/site is also currently something of an eyesore, and the proposal would bring the building back into use, representing a significant visual improvement for local residents.

Waste - Dedicated refuse storage areas are proposed. Bins for the proposed building can be brought to Abbey Hey Lane for collection thereby avoiding the need for a refuse lorry to access

the site. These arrangements are considered to be generally acceptable, although a condition is proposed in relation to submission of final details.

Trees - There are trees present on site, although not of great quality. No trees are to be lost, as a result of the proposed extension works, and trees/landscaping, around the edges of the site, are unaffected, so any screening benefits on site would not be lost.

Boundary treatment - There is no indication that any existing boundary treatment on site would change, but a condition is proposed requiring future approval of any boundary treatment changes.

Ecology - The applicant has addressed the concerns of the GM Ecology Unit, in relation to bat protection, and Japanese Knotweed, although informatives are proposed. In particular, in relation to Japanese Knotweed, some works were carried out on site, which raised concerns for a local resident, but the Ecology Unit were generally satisfied with the approach carried out. Nevertheless, a condition, and informative is proposed, along with conditions relating to bird nesting, and the provision of bird/bat boxes, in accordance with the requirements of the GM Ecology Unit.

Air quality - The provision of an EV charging point is a welcome addition to the development, but, given the potential intensification in use of the site, a condition is proposed relating to the measures to be adopted to ensure that the development does not have an adverse impact upon air quality at the site.

Conclusion - The building has been in a state of disrepair for some time, and the site is considered to have a negative impact upon the locality. The proposal is for a residential use, that is compatible with the surrounding area, and would bring the site back into use, improving its visual appearance. The development does, therefore, represent a significant improvement on the existing situation and, given these particular site circumstances, it is considered that the proposed development is acceptable.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have taken place with the applicant through the course of the application, particularly in respect of the arrangements for car parking, access and ecology measures. The current proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings numbered D\$-233-P01, 4D-233-P02, 4D-233-P03, 4D-233-P04, 4D-233-P06, 4D-233-P07, 4D-233-P08, 4D-233-P09 and 4D-233-P10, and the Design and Access statement, all stamped as received by the City Council, as Local Planning Authority, on 29 April 2022.

Drawings numbered 4D-233-P00 rev B, 4D-233 -P05 rev B and 4D-233-E00 rev A and the Urban Green Bat Survey Report, dated July 2022, stamped as received by the City Council, as Local Planning Authority, on 21 July 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials used to construct the external elevations of the development hereby approved shall match the existing property, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on drawings numbered 4D-233-P06 and 4D-233-P07, stamped as received by the City Council, as Local Planning Authority, on 29 April 2022.

Reason - In the interests of the amenities of the occupiers of the neighbouring properties, pursuant to policy DM1 of the Manchester Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard

the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

6) a) Prior to any above ground works commencing on site an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall include measures to be incorporated into the development to achieve energy efficiency and the approved measures shall be implemented in the construction of the approved development.

b) Prior to the first occupation of any of the apartments a post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of Manchester's Core Strategy, policy DP3 of Regional Spatial Strategy for the North West (RSS), and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

7) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Hours of working;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Phasing and quantification / classification of vehicular activity associated with planned construction, including commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routing both within the site and on the adjacent highway
- Routing strategy of construction vehicles;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.
- A dilapidation survey, including photographs and commentary, on the condition of carriageway/footways of construction vehicle routes surrounding the site.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy.

8) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. This should include evidence which demonstrates that there is sufficient capacity within the existing arrangements for the anticipated increase in pupils and associated staff, or the indication of revised scheme if such sufficient existing capacity is not demonstrated. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies DM1, EN19 and SP1 of the Manchester Core Strategy.

9) Prior to commencement of the development, an air quality impact exposure assessment and a scheme for clean air intake, including a scheme for electric vehicle charging, shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

10) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. a) Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved policy DC26, of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

11) Any changes to the existing boundary treatment shall be submitted to, and approved in writing by the City Council, as Local Planning Authority, prior to any works commencing on site. The boundary treatment shall be completed before the approved residential units are occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with policies SP1 and DM1 of the Manchester Core Strategy.

12) Prior to the first occupation of the development hereby approved, finalised details in relation to the location and number of electric charging points shall be submitted to and approved in writing by the Local Planning Authority. The proposed electric vehicle charging points shall then be fully implemented in accordance with the approved scheme prior to the first occupation of the development.

Reason - In the interests of the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant to policies SP1, EN16 and DM1 of the Manchester Core Strategy and Greater Manchester Air Quality action plan 2016.

13) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies DM1 and T2.6 of the Manchester Core Strategy.

14) Prior to any above ground works commencing on site, a hard and soft landscaping scheme shall be submitted to, and approved in writing by the City Council, as Local Planning Authority. The approved scheme, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

15) In this condition "retained tree" means an existing trees to the western boundary to the rear of nos. 1 and 3 Union Street ; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

16) Prior to any occupation of the development, a method statement detailing eradication and/or control and/or avoidance measures (including the timeframe for implementation) for Japanese Knotweed shall be submitted to and agreed in writing to the City Council as Local Planning Authority. Any measures approved detailing avoidance, control and eradication measures

(including the timeframe for implementation) shall be implemented in full, prior to the occupation of the building.

Reason - To prevent the spread of any invasive plants and in order to safeguard important wildlife habitats in the area, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

17) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason - To provide and ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended pursuant to policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document.

18) Prior to the occupation of the development hereby approved, permanent bird and bat boxes shall be installed at the site in accordance with a scheme that shall be submitted to, and approved in writing by the City Council, as Local Planning Authority. The bird and bat boxes shall be thereafter retained whilst the development is occupied.

Reason - To provide bird boxes to comply with policy EN15 of the Core Strategy for Manchester.

Informatives

1) It is recommended that the flats are fitted with a monitored alarm system with PIR monitors, it should comply with either:

- BS EN 50131 and PD 6662 for wired systems
- BS 6799 for wireless systems

The flat entrance doors must be compliant with and certified to BS PAS 24. It is advised that these doors do not have fixed sidelights, and are provided with door viewers instead.

Any external bin store should be a secure, lockable and fire resistant enclosure.

Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.

Access Control

Access control should be installed at the main entrance and be operable by swipe card or fob, and not numeric key pads. It should be controlled by an audio intercom linked to each flat, so that residents can vet callers to the building before allowing them access.

Dusk 'til dawn lights, operated by photoelectric cell/daylight sensor, should be installed to all external doors (manual override is also permissible).

External lighting must be provided to the side passageway and rear of the building, operated by photoelectric cell/daylight sensor (manual override is also permissible). PIR security lighting is not recommended for these locations and should not be employed unless advised.

Fittings should produce 'white' light, as opposed to yellow/orange light. Metal halide (or bulbs with a comparable output) should be used, as these offer superior colour rendition over alternatives such as high and low pressure sodium bulbs.

The upkeep of a development over its lifetime can be crucial to the level of security and safety within. Aspects of a development, which are left to deteriorate, have the potential to attract further crime - a process known as 'the broken window theory'. A maintenance plan should be drawn up to address issues such as litter removal and repair to communal areas (lighting, signage, access controls).

2) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

3) Whilst the development is low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

4) It is an offence under the Wildlife & Countryside Act 1981, as amended, to introduce or cause to grow wild any plant listed in Schedule 9. Part 2 of the Act. Japanese Knotweed is included within this schedule. All Japanese Knotweed waste (the plant itself or material containing its rhizomes) is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act Duty of Care Regulation 1991.

Area Team Boundary - Name: NORTH